

# House Calendar No. 177

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 441

[Report No. 106-525]

Providing for consideration of the bill (H.R. 2372) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2000

Ms. PRYCE of Ohio, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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## RESOLUTION

Providing for consideration of the bill (H.R. 2372) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising

Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution.

1       *Resolved*, That at any time after the adoption of this  
2 resolution the Speaker may, pursuant to clause 2(b) of  
3 rule XVIII, declare the House resolved into the Committee  
4 of the Whole House on the state of the Union for consider-  
5 ation of the bill (H.R. 2372) to simplify and expedite ac-  
6 cess to the Federal courts for injured parties whose rights  
7 and privileges, secured by the United States Constitution,  
8 have been deprived by final actions of Federal agencies,  
9 or other government officials or entities acting under color  
10 of State law; to prevent Federal courts from abstaining  
11 from exercising Federal jurisdiction in actions where no  
12 State law claim is alleged; to permit certification of unset-  
13 tled State law questions that are essential to resolving  
14 Federal claims arising under the Constitution; and to clar-  
15 ify when government action is sufficiently final to ripen  
16 certain Federal claims arising under the Constitution. The  
17 first reading of the bill shall be dispensed with. General  
18 debate shall be confined to the bill and shall not exceed  
19 one hour equally divided and controlled by the chairman  
20 and ranking minority member of the Committee on the

1 Judiciary. After general debate the bill shall be considered  
2 for amendment under the five-minute rule. It shall be in  
3 order to consider as an original bill for the purpose of  
4 amendment under the five-minute rule the amendment in  
5 the nature of a substitute recommended by the Committee  
6 on the Judiciary now printed in the bill. The committee  
7 amendment in the nature of a substitute shall be consid-  
8 ered as read. No amendment to the committee amendment  
9 in the nature of a substitute shall be in order except those  
10 printed in the report of the Committee on Rules accom-  
11 panying this resolution. Each amendment may be offered  
12 only in the order printed in the report, may be offered  
13 only by a Member designated in the report, shall be con-  
14 sidered as read, shall be debatable for the time specified  
15 in the report equally divided and controlled by the pro-  
16 ponent and an opponent, shall not be subject to amend-  
17 ment, and shall not be subject to a demand for division  
18 of the question in the House or in the Committee of the  
19 Whole. All points of order against the amendments printed  
20 in the report are waived. The Chairman of the Committee  
21 of the Whole may: (1) postpone until a time during further  
22 consideration in the Committee of the Whole a request for  
23 a recorded vote on any amendment; and (2) reduce to five  
24 minutes the minimum time for electronic voting on any  
25 postponed question that follows another electronic vote

1 without intervening business, provided that the minimum  
2 time for electronic voting on the first in any series of ques-  
3 tions shall be 15 minutes. At the conclusion of consider-  
4 ation of the bill for amendment the Committee shall rise  
5 and report the bill to the House with such amendments  
6 as may have been adopted. Any Member may demand a  
7 separate vote in the House on any amendment adopted  
8 in the Committee of the Whole to the bill or to the com-  
9 mittee amendment in the nature of a substitute. The pre-  
10 vious question shall be considered as ordered on the bill  
11 and amendments thereto to final passage without inter-  
12 vening motion except one motion to recommit with or  
13 without instructions.



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